

Sample Sequence for Mental Health Professional (MHP) Role in Asylum Process

Referral

Attorney requests and evaluation/report from organization with as much time as possible.

Attorney may provide declaration at the time of the request for evaluation/report.

If request comes to organization from survivor, organization refers survivor to legal resource.

Preparation for Evaluation

Organization determines which MHP will prepare evaluation/report.

Organization or MHP notifies attorney of assignment.

Attorney/MHP communicate about the case – referral questions; timeline.

Attorney provides case materials (declaration+) to MHP.

Evaluation and Report

MHP conducts evaluation, writes draft report.

MHP submits draft report to organization or to attorney.

Organization may provide feedback and suggestions to MHP about the report.

Attorney discusses concerns, suggestions for report with MHP or organization, including how to address information that is new or in conflict with other documentation.

MHP writes final version of report and submits to organization or to attorney; if submitted to organization, organization submits to attorney.

If Court Testimony

Attorney informs/reminds MHP about date of merits hearing.

Attorney and MHP meet in person or by phone to prepare testimony with prepared questions for direct/cross examination.

MHP provides testimony in court or telephonically.

Attorney informs organization and/or MHP about the outcome of the hearing.

This information was originally prepared for and presented in the 2011 National Capacity Building Institute: *Torture Survivors Seeking Asylum: The Intersection of Forensic Mental Health Evaluation and Legal Representation*. Thanks to David Gangsei and Regina Germain for all of their work on that Institute.